

### **DETAILED ACTION**

1. This office action is in response to the Application 10/811,835 filed 03/30/2004, Amendment filed 10/26/2009 and telephone interview on 12/17/2009.

2. Claims 1-3, 5-13, and 15 remain pending in the Application. Claims 4 and 14 have been cancelled from the Application.

3. Applicant's arguments have been fully considered and are persuasive.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

5. Authorization for this examiner's amendment was given in a telephone interview with Luan Dow in behalf of Donald Studebaker (Registration No. 32,815) on 12/17/2009.

The application has been amended as follows:

#### **To claims**

Cancel claims 6-9.

Claim 1 line 1 before "method" insert --computer-implemented--

Claim 1 line 2 after "circuit," insert --the method being embodied in a data processing apparatus having at least an arithmetic processor and memory, the method--

Claim 1 line 8 after "element;" delete "and"

Claim 1 line 18 after "finished" insert --; and storing the mask layout in the data processing apparatus memory--

Claim 10 line 1 before "method" insert --computer-implemented--

Claim 10 line 2 after "circuit," insert --the method being embodied in a data processing apparatus having at least an arithmetic processor and memory, the method--

Claim 10 line 9 after "element;" delete "and"

Claim 10 line 19 after "finished" insert --; and storing the mask layout in the data processing apparatus memory--

***Allowable Subject Matter***

6. Claims 1-3, 5, 10-13, 15 allowed.

7. The following is an examiner's statement of reasons for allowance: reason for allowance has been indicated in the previous office action.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Rossoshek whose telephone number is (571)272-1905. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HR  
12/18/2009

/Helen Rossoshek/  
Primary Examiner, Art Unit 2825